

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 1:18CR25-015

Date: 1/16/20

Defendant: Terry Dalton, Custody

Counsel: Jeffrey Campbell, Appt.

PRESENT:	JUDGE:	James P. Jones	TIME IN COURT:	10:34 – 11:13 a.m.
	Deputy Clerk:	Felicia Clark		Total: 32 minutes
	Court Reporter:	Donna Prather, OCR		
	U. S. Attorney:	Cagle Juhan		
	Case Agent:	Chris Parks		
	USPO:	Sumer Taylor-Sargent		

LIST OF WITNESSES

GOVERNMENT:

1.

DEFENDANT:

1. Terry Dalton

PROCEEDINGS:

- Objections to PSR withdrawn by the Government and Defense Counsel.
- Defendant presents evidence . Oral argument by counsel as to the appropriate sentence to be imposed.
- No evidence presented by the Government. Oral argument by counsel as to the appropriate sentence to be imposed.
- Court adopts Presentence Report.
- Defendant Motion for Downward Departure.
 - Court grants.

SENTENCE IMPOSED AS FOLLOWS:

CBOP: One Hundred and Twenty (120) months. This term consists of 120 months on each of Counts 1, 7 and 8, to run concurrently. This term of imprisonment shall run retroactively concurrent with the pending charges in Sullivan County, TN and Washington County, TN. and described in paragraphs 352 and 356 of the pre-sentence report.

SR: Five (5) years. This term consists of 5 years on each of Counts 1, 7 and 8, all such terms to run concurrently. - comply w/Standard, Mandatory & Special Conditions.

SA: \$300.00 due immediately.

FINE: Waived

REST: N/A

- Court recommends as follows:

- That the defendant receive residential substance abuse treatment (RDAP) pursuant to the provisions of 18 U.S.C. § 3621(b).
- That the defendant be designated to the Lexington, Kentucky facility, in order to facilitate visits by family members.

SPECIAL CONDITIONS OF SUPERVISION (Check applicable conditions):

- (1) Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;
- (2) Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;

(3) Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant must participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program; and

(4) Must submit his or her person, property, house, residence, vehicle, papers, [computers as defined in 18 U.S.C. Section 1030(e)(1), other electronic communications or data storage devices or media], or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his or her supervision and that the areas to be searched contain evidence of this violation.

PAYMENT SCHEDULE:

- A lump sum payment of \$300.00 is due immediately.

ADDITIONAL RULINGS:

- Forfeiture Allegation dismissed on Government Motion.
 Defendant advised of right to appeal.
 Defendant remanded to custody.